

NOTICE AND AGENDA

**SUNNYVALE CITY COUNCIL
TUESDAY, MARCH 10, 2009
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA**

5 P.M. SPECIAL COUNCIL MEETING (Study Session)

Sunnyvale Library – Program Rooms A & B

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session: **2009-2014 Housing Sub-Element Update – Joint Session with Housing and Human Services Commission and Planning Commission**
Staff Contact: Suzanne Ise, (408) 730-7698
4. Public Comment
5. Adjourn Special Meeting

6:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

Sunnyvale Library – Program Rooms A & B

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session: **Intergovernmental Relations Update: National League of Cities Congressional City Conference Information**
Staff Contact: Yvette Blackford, (408) 730-7536
4. Public Comment
5. Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

SALUTE TO THE FLAG

Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.

ROLL CALL

SPECIAL ORDER OF THE DAY – Fire Safety Poster Contest Awards Presentation - Public Safety Deputy Chief Kelly Fitzgerald and Neighborhood Resource Officer Brad Militano

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of December 16, 2008
- 1.B. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.C. MOTION List of Claims and Bills Approved for Payment by the City Manager – List
RTC 09-067 No. 443

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Peter Gonda, (408) 730-7385

- 1.D. MOTION Approval of a HOME Investment Partnership Act (HOME) Loan
RTC 09-069 Agreement for \$200,000 between the City and Maitri, a California non-profit corporation, for property acquisition to provide transitional housing for survivors of domestic violence

Staff Recommendation: Alternative No.1 – Council approves the attached HOME Loan Agreement with Maitri.

Staff Contact: Suzanne Ise, (408) 730-7698

- 1.E. MOTION Transmittal of FY 2006/2007 Performance Results Audit for Program
RTC 09-071 118-Pavement Operations

Staff Recommendation: Alternative No. 1 – Council receives the audit report and concurs with management's acceptance of recommendations.

Staff Contact: Ann Durkes, (408) 730-2717

Contracts

- 1.F. MOTION Authorization to Modify an Existing Contract for Diesel Fuel (F0802-54)
RTC 09- 072

Staff Recommendation: Council authorizes modification of an existing contract with SC Fuels, in substantially the same form as the attached draft change order, by extending the contract end date to June 30, 2009 and increasing the not-to-exceed amount from \$300,000 to \$410,000 for the purchase of unleaded gasoline for City vehicles.

Staff Contact: Peter Gonda, (408) 730-7385

Other

- 1.G. MOTION New Council Policy for "Roles and Responsibilities of Mayor, Vice Mayor
RTC 09-062 and Councilmembers"

Staff Recommendation: Alternative No.1 – Council approves the policy titled “Roles and Responsibilities of the Mayor, Vice Mayor and Councilmembers” as depicted by Attachment A. This action would be consistent with Council’s February 3, 2009 direction regarding RTC 09-036.

Staff Contact: Robert Walker, (408) 730-7458

**STAFF RESPONSES TO
PRIOR PUBLIC
COMMENTS**

Staff may provide further information or clarification for the community’s benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening’s agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION Consider Policy to Streamline Pursuit of Grant Funding (Study Issue)
RTC 09-066

Staff Recommendation: Combination of Alternative Nos. 3 and 4:

No. 3 – Council requires notification of staff’s pursuit of grant monies. Council allows the city manager flexibility in choosing a communication method to satisfy that notification requirement. Council clarifies that staff is not required to procure Council approval prior to applying for grant monies; and

No. 4 – Council treats grant monies in accordance with existing policy dealing with donations, contributions and sponsorships. Council establishes a dollar threshold up to which the city manager is allowed to accept grant monies without Council approval.

Staff Contact: Robert Walker, (408) 730-7458

3. ORDINANCE Adoption of Ordinance 2892-09 Amending the Precise Zoning Plan,
No. 2892-09 Zoning Districts Map, to Rezone Certain Property Located At 660 S. Fair
Oaks Avenue From R-4 (High Density Residential) to R-4/Pd (High Density
Residential/ Planned Development) Zoning District

Staff Recommendation: Council approves the second reading of Ordinance No. 2892-09.

Staff Contact: David Kahn, City Attorney (408) 730-7464

4. ORDINANCE Adoption of Ordinance 2893-09 Adding Sections 5.36.365 and 5.36.405
No. 2893-09 to and Amending Certain Sections of Chapter 5.36 (Taxicabs) of Title 5
(Business Licenses And Regulations) of the Sunnyvale Municipal Code
Pertaining to Taxicab Franchises

Staff Recommendation: Council approves the second reading of Ordinance No. 2893-09.

Staff Contact: David Kahn, (408) 730-7464

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- RTC 09-068 Opportunity for Council to appeal decisions of the Planning Commission of February 23, 2009

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME	PLACE
March 10, 2009	Council Meeting	7 p.m.	Council Chambers
March 17, 2009	NO COUNCIL MEETING SCHEDULED		
March 24, 2009	Council Meeting	7 p.m.	Council Chambers
March 31, 2009	NO COUNCIL MEETING SCHEDULED		
April 7, 2009	Council Meeting	7 p.m.	Council Chambers
April 14, 2009	NO COUNCIL MEETING SCHEDULED		
April 21, 2009	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

March 9, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
March 9, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 11, 2009	Administrative Hearing	2 p.m.	West Conf. Room
March 11, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
March 16, 2009	Personnel Board	5 p.m.	Council Chambers
March 18, 2009	Arts Commission	7 p.m.	Council Chambers
March 19, 2009	Bicycle Advisory and Commission Meeting	6:30 p.m.	West Conf. Room
March 23, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
March 23, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 25, 2009	Administrative Hearing	2 p.m.	West Conf. Room
March 25, 2009	NOVA Workforce Board Meeting	Noon	NOVA Board Room
March 25, 2009	Housing and Human Services Commission	7 p.m.	West Conf. Room
April 1, 2009	Heritage Preservation Commission	7 p.m.	West Conf. Room
April 6, 2009	Board of Library Trustees	7 p.m.	Council Chambers
April 8, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
April 13, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
April 13, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 15, 2009	Arts Commission	7 p.m.	Council Chambers
April 15, 2009	Administrative Hearing	2 p.m.	West Conf. Room
April 20, 2009	Personnel Board	5 p.m.	Council Chambers
April 22, 2009	Housing and Human Services Commission	7 p.m.	West Conf. Room
May 20, 2009	Joint Parks and Recreation Commission and Arts Commission Study Session	6 p.m.	West Conf. Room
May 20, 2009	Joint Parks and Recreation Commission and Arts Commission Meeting	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

March 8, 2009	City Council Meeting - Replay of March 3, 2009	4 p.m.
March 10, 2009	City Council Meeting - Live	7 p.m.
March 11, 2009	City Council Meeting - Replay of March 10, 2009	7 p.m.
March 15, 2009	City Council Meeting - Replay of March 10, 2009	4 p.m.
March 24, 2009	City Council Meeting - Live	7 p.m.
March 25, 2009	City Council Meeting - Replay of March 24, 2009	7 p.m.
March 29, 2009	City Council Meeting - Replay of March 24, 2009	4 p.m.
April 7, 2009	City Council Meeting - Live	7 p.m.
April 8, 2009	City Council Meeting - Replay of April 7, 2009	7 p.m.
April 12, 2009	City Council Meeting - Replay of April 7, 2009	4 p.m.
April 21, 2009	City Council Meeting - Live	7 p.m.
April 22, 2009	City Council Meeting - Replay of April 21, 2009	7 p.m.
April 26, 2009	City Council Meeting - Replay of April 21, 2009	4 p.m.